

Dealt with by: Environmental Health

Our Ref: smd/2022/0592

Direct Dial: (01538) 395400

Your Ref: as above

Email: EHealth.Consultation@highpeak.gov.uk

Date: 17th January 2023

MEMORANDUM: PLANNING CONSULTATION
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LOCATION

**Land At Oakamoor Road
Cheadle**

PROPOSED DEVELOPMENT

Application for Outline Planning Permission with some matters reserved for the erection of up to 53no. dwellings

Potential Areas of Environmental Concern.

1. Air Quality – Condition
2. Construction Impacts (Condition)
3. Land Contamination – (Condition)
4. Coal Mining (High risk area)
5. Sound insulation (Condition assessment)
6. Artificial Lighting (Condition)

Air Quality Update Comments July 2023:

Following the initial Comments the applicant has submitted an [AQ assessment](#) produced by Redmore Environment

Briefly – the assessment is sufficient to remove the holding objection but the potential impacts on air quality and thus any mitigation or cost based offset cannot be realised by the submitted assessment, primarily due to the concern regarding the traffic data used and the fact that this has yet to be agreed with the Highways authority. Further comments are provided below and should be passed to the consultant.

Comments: The report evaluates the potential construction AQ impacts from fugitive dust emissions and operational impacts due to the increase in exhaust emissions associated with vehicles travelling to and from the site.

The construction dust assessment is done in line with the following guidance [Air Quality Management \(IAQM\) document 'Guidance on the Assessment of Dust from Demolition and Construction V1.](#)

Generally within this guidance, construction effects of dust and the significance of the effects

are strongly influenced by the sensitivity of the receptor. In general the human receptors were classified as high and the ecological as low, as identified ecological receptors are classed as local nature reserves,. This latter ecological classification is not agreed as Hales Hall Pool is not just a LNR but also designated locally as Site of Biological Importance, so it would be more appropriate to classify this as medium.

The above noted, this has little bearing on the overall sensitivity as that is considered high already by virtue of the Human receptor (for dust soiling). An assessment of human health impacts is also presented (in accordance with the IQMA guidance. This assessment is considered a little more arbitrary (as it relies on the background levels only) and does not discuss PM 2.5. However, providing mitigation measures are strictly adhered to this should mitigate the risks.

The report essentially does list a good sweep of mitigation measures that the developer should undertake, and as noted by the consultants *“Assuming the relevant mitigation measures outlined in Table 19 are implemented, the residual impacts from all dust generating activities is predicted to be not significant, in accordance with the IAQM guidance”*. This is accepted but also noted that this requires that these mitigation measures are undertaken.

Therefore, it is recommended that mitigation measures listed in Table 19 are required, as a condition, to be incorporated into a Construction Environmental Management Plan (CEMP) and implemented on site.

Operational Phase

The basic principle of the assessment is OK but there are a few concerns regarding is accuracy and model inputs (speed); essentially the same below remains:

The primary concern with this development would be around the capacity of Cheadle Town Centre / Tape street and B5417 Queen Street/A522 Tape Street mini roundabout to accommodate the increase in traffic, potentially causing an increase in queuing traffic and impacts on air quality. This junction is already subject to an increase in demand due to the Cecily mill development and the assessment there was required to use the Cheadle Town centre traffic model developed (VISSIM Model), which was constructed to model the effect on traffic flows through Cheadle Town Centre in support of Local Plan allocation, to demonstrate that Cheadle could accommodate the development.

The traffic data here, appears to be from dft + Temprow projection, but it is not know if this has incorporated the future committed developments using this and surrounding developments (noted previously).

The accuracy of model predictions depends on ensuring that the model is set up (met conditions, vehicle speeds, emission factors etc) such that, its predictions are as close known results as possible. This is essentially done by comparing modelled data with known data - in this instance from model vs actual data from 2019.

This was done by the applicant (appendix 1 gives the details) but it does appear that the model inputs were tweaked before proceeding to incorporating a verification factor, which is not ideal.

Basically, in the guidance ([LAQM TG 2022](#)) it states that you should only proceed straight applying the verification (correction factor) once you are happy that you can't improve the model any further & checks confirm that:

- there is no systematic under or over prediction; - there is
- predictions at sites where monitoring shows concentrations are close to the objective show good comparison; and – they don't
- the majority of results are within 25% (as a minimum - preferably within 10%) of monitored concentrations = none are

The process of verifying and adjusting models is set out in Box 7-17 and Box 7-18 of [LAQM TG 2022](#) set out some of the common steps to be taken to look at this. So it is recommended this is relooked at.

The most obvious issue on the face of it would appear to be the adopted speeds. There is little information provided really on the choice of these, other than they have been estimated from UK highway design standards but they are a little odd. Two speeds are noted for most key roads including Queen Street; which are a normal – usually 30/40KMPH(18/25mph) and a slow phase 20KPH (12mph).. and appear to therefore assume free flowing traffic around.

It is not clear if the congestion noted to occur in Cheadle already has truly been accounted for with these adopted speeds (hence a much lower predicted result than actually occurs).

It clearly would not account for any increases in this congestion as a result of the development, so the impacts of this – and the other large developments using this road have not really been accounted for, as it is the impact on the flow and congestion that is the issue not simply the emissions due to only the increase of cars on a presumed “free flowing network”

This needs to be redone. Once the traffic inputs have been agreed and assessed inline with the requirements of the Highways authority. condition to follow

Air Quality – Holding Objection insufficient information – Previous note

No consideration of the development on Air Quality appears to have taken place other than a short statement in the [TA \(section 2.5\)](#) “According to the Department for Environment, Food and Rural Affairs (DEFRA), the development site is not located in an Air Quality Management Area (AQMA)”.

This is correct, however, although there is currently no AQMA declared in this location, the area has been identified in the SMDC Integrated Transport Strategy: Staffordshire Moorlands District Council “A522 Tape Street, Cheadle, is being monitored for exceedances in the vicinity of residential properties adjacent to queuing traffic at peak times”. With concentrations at sites along Tape Street exceeded, or measured within 10% of, the annual mean objective of

40µg/m³ This information is available in the latest [local Air Quality report](#).

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This does not appear to have been considered in the Transport assessment and it is noted that Highways have objected to the application on these grounds.

In view of the fact that Highways have not accepted the transport statement, it cannot at this stage be determined if the current infrastructure can accommodate this new development and what the consequences of this would be with regard to air quality in Cheadle town centre.

In addition, The NPPF (paragraph 181) recognises that a number of individual development proposals within close proximity of each other require planning policies and decisions to consider the cumulative impact of them. Difficulties arise when developments are permitted sequentially, with each individually having only a relatively low polluting potential, but which cumulatively result in a significant worsening of air quality.

This will occur where:

- A single large site is divided up into a series of units, such as an industrial estate or retail park;
- A major development is broken down into a series of smaller planning applications for administrative ease; and
- There are cumulative air quality impacts from a series of unrelated developments in the same area.

To enable consideration of the proposed development applicant needs to assess the air-quality impact of the development and demonstrate that it will not cause an exceedance in local AQ objectives at relevant receptors in Cheadle town centre and also the potential for localised particulate pollution, during construction, both to human receptors but also the adjacent Site of Biological Importance.

Additional Comments and recommendations should Planning be granted

Noise:

Sound Insulation: The proposed development site is adjacent to a main road B5417 Oakamoor Road and approx. 100 metres from Hales Hall Caravan Park. The potential noise impacts are road traffic noise and noise from the caravan park. We would recommend the properties are built to protect the amenity of future occupiers. A condition is advised,

Site Construction Nuisance: The proposed development is close to existing properties so care needs to be taken during the construction phase to ensure these activities do not cause

unreasonably disruption to the neighbour's enjoyment of their properties. All construction activities should pay due care to the advice set out in BS 5228:1 and 2 in order that noise and vibration impacts are minimised during site preparation and construction phases.

Contamination; The application is accompanied by a [phase 1 desk study by Georisk management](#). The study concludes that the site has a low risk of contamination but there are 2 shafts on site that will require further investigation. It is also not entirely clear by the study if the small fish pond that was previously present on site has been infilled or is still present.

The conclusions of the reports recommends further intrusive work to confirm the low risk postulation and determine the sites ground gas regime. This is agreed and a condition recommended.

EV infrastructure (building Control): The applicant is reminded that they will be required to install EV / EV infrastructure in accordance with [Approved Document S: infrastructure for charging electric vehicles](#)

Recommended Conditions (should consent be granted)

1. Construction and Environmental Management Plan:

No phase of the development hereby permitted shall take place except for works of site clearance and demolition until a Construction and Environmental Management Plan for that phase of the site has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- II. the method and duration of any pile driving operations (including expected starting date and completion date);
- III. pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
- IV. the arrangements for prior notification to the occupiers of potentially affected properties;
- V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VI. a scheme to minimise dust emissions arising from earth moving and construction activities on the site, incorporating all of the mitigation measures outlined in table 19 of the [Air Quality Assessment Oakmoore Road, Cheadle Reference: 6811r2](#) submitted in support of this application

- VII. a scheme for recycling/disposal of waste resulting from the construction works;
- VIII. the parking of vehicles of site operatives and visitors;
- IX. the loading and unloading of plant and materials;
- X. the storage of plant and materials used in constructing the development;
- XI. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- XII. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works,
- XIII. any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment,
- XIV. the details of any generator/s to be used on site. They should be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premise,
- XV. during construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: *To protect the amenities of the area.*

amenity of local residents and that of the surrounding area from noise disturbance.

2. Lighting Condition

The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing.

Reason: *To protect the local amenities of the local residents by reason of excess of illuminance.*

3. Sound Insulation

Development shall not commence until a site specific scheme for protecting the proposed residential units from noise, has been submitted to, and approved in writing by the Local Planning Authority.

The submitted scheme shall have due regard for the British Standard BS8233:2014 Guidance on Sound Insulation for Buildings and the ProPG - Planning and Noise: New Residential Development. It should be designed to achieve noise levels of less than 30dB LAeq in bedrooms (night time), 35dB LAeq in bedrooms (daytime), less than 40 dBLAeq in living areas and 50dB LAeq in outside living areas.

A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to the Local Planning Authority for its approval.

Reason: *To protect occupiers from noise and safeguard their residential amenities.*

4. Contamination

- 4(a) Development shall not commence until a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority.
- (b) If the site risk assessment (a) indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared, and is subject to the approval in writing by the Local Planning Authority.
- (c) Following completion of measures identified in the approved remediation scheme (b) and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- (d) If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

5. Importation of Soil/Material

No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development, a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validity evidence submitted to and approved in writing to by the Local Planning Authority.

Reason (common to 4-5):- *To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.*

6. Air Quality

Prior to the commencement of the development an updated air quality assessment, including the calculation of pollution damage costs, shall be carried out to determine the air-quality impact in the vicinity of the proposed development and wider road network. The pollution damage costs shall be based upon the impact of the development following the adoption of mitigation measures agreed with the local planning authority.

The methodology for the assessment and damage cost calculation shall have regard to Air quality appraisal: [damage cost guidance published by defra](#) and Good Practice Air Quality Planning Guidance and shall be agreed in writing with the local planning authority before commencement of the assessment.

Where necessary, a scheme for protecting future and existing residential occupiers in the vicinity from the effects of nitrogen dioxide and airborne particulate matter (PM10)] arising from the development and mitigation measures to alleviate the impact of the scheme equivalent to the calculated damage costs, shall be submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed prior to the occupation of the building[s] hereby approved, and thereafter maintained for the lifetime of the development.

Reason: In order to safeguard the amenities of the occupiers of the proposed dwelling[s] and surrounding areas in respect of atmospheric pollution

Advisory Note/ Informative:

Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

- Air quality appraisal: damage cost guidance, published by defra is available here: <https://www.gov.uk/government/publications/assess-the-impact-of-air-quality/air-quality-appraisal-damage-cost-guidance>
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- All lighting details should be provided with predicted LUX levels at the cartilage of the nearest residential receptors. This should be undertaken in line with the Institute of Lighting Engineers Guidance on intrusive lighting.
- A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.gov.uk/>
- Any approved noise scheme and measurements should pay due regard to British Standard BS8233:2014 Sound insulation and noise reduction for buildings (Code of

Practice), ProPG- Planning and Noise: New Residential Development and BS4142:2014+A1:2019 Methods for Rating and Assessing Industrial and Commercial Sound

- Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download <http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf>
- During any demolition and construction activities (including landscaping) the contractor should take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.
 - The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils <http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf>
 - Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)
- If required, Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>
 - Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.
 - The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become an "appropriate person". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.
 - Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.
 - During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes
 - The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.

- Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

Regards,
Environmental Health